

REMARKS

In response to the Office Action dated February 1, 2006 (the "Action"), Applicant respectfully requests reconsideration based on the above amendments and the following remarks. Applicant respectfully submits that the claims as presented are in condition for allowance.

Claims 1-20 remain pending in the present application. Claims 13-14 and 19-20 have been canceled without prejudice, waiver, or disclaimer of the subject matter recited therein. Claims 1, 4, 15, 16, 17 and 18 have been amended, leaving Claims 1-12 and 15-18 for consideration upon entry of the present amendment.

The amendments to the claims and the specification are simply to provide clarification and/or to correct informalities as required by the Office, and are not to overcome prior art or any other objections. No new matter has been introduced by these amendments.

Allowable Subject Matter

As stated on page 9 of the Action, Claims 14-18 would be allowable if rewritten to overcome the rejections under 35 U.S.C. §112, second paragraph, and to include all of the limitations of the base claim and any intervening claims.

Applicant thanks the Examiner for indicating that Claims 14-18 would be allowable if rewritten. Without conceding the propriety of the stated rejection of Claim 1, and solely to expedite allowance of the application, independent base **Claim 1** has been amended to recite features formerly recited in dependent Claims 13 and 14. Accordingly, Claims 13 and 14 have been canceled.

Dependent Claims 2-12 and 15-18 depend directly or indirectly from independent Claim 1 and are allowable by virtue of their dependency therefrom, as well as for the additional features that they recite. Applicant submits that Claims 1-12 and 15-18 are in condition for allowance.

IN THE SPECIFICATION

The informalities in the Specification have been corrected as requested by the Office. In particular, the phrases "according to one embodiment", "in one embodiment", and "in another embodiment" have been corrected.

The amendments to the specification are simply to provide clarification and/or to correct informalities as required by the Office, and are not to overcome prior art or any other objections. Support for the amendments can be found in the specification at least at paragraphs [0019], [0020], [0023], [0024], [0026], [0035], [0036], and in Figures 3B, 4, and 5. No new matter has been introduced by these amendments.

IN THE CLAIMS

Claim Rejections Under 35 U.S.C. § 112, Second Paragraph

As stated on page 3 of the Action, Claims 13-18 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Without conceding the propriety of the stated rejections, Applicant has amended the claims, as described in more detail below, to expedite prosecution of this application.

Applicant respectfully traverses the stated rejections. Claims 13-14 have been canceled without waiver, prejudice, or disclaimer of the subject matter formerly recited therein, and **Claim 1** has been amended as discussed above, to expedite allowance of the application. In particular, Claim 1 has been amended to address the issues raised by the Action on page 3 for Claims 13-16 and 18.

Claim 1 has been amended to recite:

*"A clamp remover, comprising:
a first engaging member configured to engage a clamp, wherein the first
engaging member has a first side wall and a second side wall to apply a first
force against a shell of the clamp;*

a second engaging member configured to engage the clamp, wherein the second engaging member has a first side wall and a second side wall to apply a second force against a wedge of the clamp;

a first interface member coupled to the first engaging member;

a second interface member coupled to the second engaging member;

an actuating member coupled to the first interface member and to the second interface member;

wherein the actuating member provides at least one of a third force and a fourth force, wherein the third force is transferred from the first interface member to the first engaging member by causing the first side wall and the second side wall of the first engaging member to apply the first force against the shell of the clamp and wherein the fourth force is transferred from the second interface member to the second engaging member causing the first side wall and the second side wall of the second engaging member to apply the second force against the wedge of the clamp;

wherein the actuating member defines a first cavity and a second cavity, wherein the first cavity receives the first interface member and wherein the second cavity receives the second interface member;

wherein the actuating member comprises a reset member, wherein the reset member is coupled to at least one of the first engaging member, the second engaging member, the first interface member and the second interface member;

wherein the actuating member disengages at least one of the first engaging member, the second engaging member, the first interface member, and the second interface member from the clamp; and

wherein the actuating member comprises at least one of a force generating member and a force transferring member, wherein at least one of the force generating member and/or the force transferring member are coupled to the first cavity and to the second cavity.”

Support may be found at least in paragraphs [0026], [0027], [0028], [0031], [0032], [0035], [0036] of the Specification and in Figures 3B, 4 and 5. **Dependent Claims 2-12 and 15-18** depend directly or indirectly from independent Claim 1 and are allowable by virtue of their dependency therefrom, as well as for the additional features that they recite. Applicant submits that Claims 1-12 and 15-18 are in condition for allowance.

Turning to **Claims 16 and 18**, the Office on page 3, stated there was no structural relationship recited. Claim 1 has been amended to recite how the forces are provided by the actuating member and in what way they affect the operation of the claim remover. Dependent Claims 16 and 18 have been amended to provide clarification.

Claim 16 recites:

"The clamp remover of claim 1, wherein the third force is applied to the first interface member and the fourth force is applied to the second interface member."

Support can be found at least in paragraphs [0026] and [0028] of the Specification.

Claim 18 recites:

"The clamp remover of claim 1, wherein the third force is in opposition to the fourth force and the fourth force is in opposition to the third force."

Support can be found at least in Figures 3B and 4.

Turning to **Claim 17**, the Office on page 3, stated it is unclear what is meant by "locally controlled" and "remotely controlled".

Claim 17 recites:

"The clamp remover of claim 1, wherein the actuating member is one of locally controlled at the clamp remover and remotely controlled away from the clamp remover."

Support can be found at least in paragraph [0036] of the Specification.

Applicant respectfully submits Claims 1-12 and 15-18 are allowable. No new matter has been introduced by these amendments.

Claim Rejections Under 35 U.S.C. § 102

Claims 1-3, 10-13, 16-19 and 20 stand rejected under 35 U.S.C. § 102(b), as allegedly anticipated by U.S. Patent No. 5,253,554 to Riera et al. (hereinafter "Riera")

Claims 1 and 4-7 stand rejected under 35 U.S.C. § 102(b), as allegedly anticipated by U.S. Patent No. 2,020,052 to Fischer (hereinafter "Fischer").

Claims 1, 8 and 9 stand rejected under 35 U.S.C. § 102(b), as allegedly anticipated by U.S. Patent No. 5,666,865 to Ito (hereinafter "Ito").

Applicant respectfully traverses the stated rejections. Nevertheless, without conceding the propriety of these rejections, Claims 13-14 and 19-20 have been canceled without waiver, prejudice, or disclaimer of the subject matter formerly recited therein, and Claims 1, 4, 16, 17, and 18 have been amended as discussed above, to expedite allowance of the application.

Applicant reserves its right to file continuing applications further to prosecute the subject matter formerly recited in Claims 19-20. For at least the foregoing reasons, Claims 1-12 and 15-18 are in condition for allowance.

Conclusion

Applicant respectfully requests an early notice of allowance. If any issue remains unresolved that would prevent allowance of this case, the Office is requested to contact the undersigned attorney to resolve the issue.

Respectfully Submitted,

Dated: 5-10-06

By: Shirley Anderson

Shirley Anderson
Reg. No. 57,763
Lee & Hayes, PLLC
421 W. Riverside Avenue, Suite 500
Spokane, WA 99201
(509) 324-9256, ext. 258